

**MINUTES  
URBAN COUNTY PLANNING COMMISSION  
SUBDIVISION ITEMS**

**April 11, 2013**

- I. **CALL TO ORDER** - The meeting was called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.

Planning Commission Members Present – Mike Owens, Chair; Eunice Beatty, Will Berkley, Mike Cravens, Lynn Roche-Phillips, Karen Mundy and Carolyn Plumlee. Patrick Brewer, Carla Blanton, Frank Penn and William Wilson were absent.

Planning Staff Present – Chris King, Director; Bill Sallee; Jim Duncan; Tom Martin; Barbara Rackers; Chris Taylor; Cheryl Gallt; Dave Jarman; Denice Bullock and Pam Whitaker. Other staff members in attendance were: Hillard Newman, Division of Engineering; Captain Charles Bowen, Division of Fire and Emergency Services; Tim Queary, Department of Environmental Quality and Tracy Jones, Department of Law.

- II. **APPROVAL OF MINUTES** – The Chair noted that there were no minutes to be considered at this time.

- III. **POSTPONEMENTS OR WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.

- a. DP 2013-6: SAMS PROPERTY (AMD) (4/11/13)\* - located at 2640 Spurr Road.  
(Council District 2)

**(Strand & Associates)**

Note: The Planning Commission postponed this plan at their February 14, 2013; March 14, 2013 and April 11, 2013, meetings. The purpose of this amendment is to add two industrial buildings.

The Subdivision Committee Recommended: **Postponement.** There were questions regarding the proposed uses, sanitary sewer service and the need for tree protection areas and improvements to Greendale Road and Spurr Road.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water Control Office's approval of fire hydrant, fire department connections and fire service features locations.
10. Division of Waste Management's approval of refuse collection.
11. Kentucky Transportation Cabinet's approval of the access to Greendale Road.
12. Denote tree protection areas.
13. Addition of owner/developer information.
14. Revise contour information (2' contours).
15. Denote construction access location.
16. Denote building heights.
17. Addition of proposed easements.
18. Denote septic drain field location for Lot 1 on plan.
19. Discuss reciprocal parking and access for new buildings.
20. Discuss proposed access nearest to railroad crossing.
21. Discuss parking and pavement conflict with existing tree areas along railroad lines.
22. Discuss possible improvements to Greendale Road and Spurr Road.
23. Discuss proposed uses and amount of pavement on Lots 2 and 3.
24. Discuss development of Lots 2 and 3 relative to timing of sanitary sewer service.

Representation – Sara Tuttle, Strand & Associates, was present representing the applicant. She requested postponement of DP 2013-6: SAMS PROPERTY (AMD) to the June 13, 2013, Planning Commission meeting. She added that there is a pending contract involving this property, and this item may be withdrawn in the future.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Mr. Cravens, seconded by Ms. Beatty and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to postpone DP 2013-6: SAMS PROPERTY (AMD) to the June 13, 2013, Planning Commission meeting.

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\* - Denotes date by which Commission must either approve or disapprove request.

- b. PLAN 2013-27F: HAMBURG EAST, TRACTS 1 & 3 (AMD) (6/2/13)\* - located at 2185 Polo Club Boulevard.  
(Council District 12) **(Vision Engineering)**

Note: The Planning Commission postponed this plan at their April 11, 2013, meeting. The purpose of this amendment is to subdivide one lot into eight lots and to add easements.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the timing of the dedication of the greenspace lot.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Denote building line.
9. Revise engineering/surveyor certification.
10. Denote the regulatory flood elevation per Article 5-4(d)(5).
11. Addition of minimum lot building lines proposed for Tracts 1 & 3 (along frontages).
12. Addition of floodplain information for Tract 3.
13. Addition of existing Columbia Gas transmission easement on Tract 3.
14. Denote Tract 2 frontage and side lot line with dashed lines.
15. Addition of "Elkhorn Creek Detail" for Tract 3 from current non-building plat.

Representation – Matt Carter, Vision Engineering, was present representing the applicant, and requested postponement of PLAN 2013-27F: HAMBURG EAST, TRACTS 1 & 3 (AMD) to the May 9, 2013, Planning Commission meeting.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Ms. Beatty, seconded by Mr. Cravens, and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to postpone PLAN 2013-27F: HAMBURG EAST, TRACTS 1 & 3 (AMD) to the May 9, 2013, Planning Commission meeting.

- c. DP 2013-29: HEADLEY, NIVEN & VANCE PROPERTY, LOTS 1, 2 & 3 (6/2/13)\* - located at 1500 Russell Cave Road & 281 and 285 New Circle Road. (Council District 1) **(Vision Engineering)**

Note: The Planning Commission postponed this plan at their April 11, 2013, meeting. The purpose of this amendment is to revise the development on Lot 1 and include Lot 2 in the development.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the proposed access to Russell Cave Road.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Kentucky Transportation Cabinet's approval of access to Russell Cave Road.
10. Clarify restaurant seating to include outdoor patio area (and any related off-street parking).
11. Correct, delete and consolidate notes #9 - #13 to the approval of the Urban Forester.
12. Discuss proposed access to Russell Cave Road.
13. Discuss Russell Cave Road cross-section right-of-way width (80' Final Record Plat).
14. Discuss internal access and connectivity.

Representation – Matt Carter, Vision Engineering, was present representing the applicant, and requested postponement of DP 2013-29: HEADLEY, NIVEN & VANCE PROPERTY, LOTS 1, 2 & 3 to the April 25, 2013, Planning Commission meeting.

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Audience Comment – The Chair asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Ms. Plumlee, seconded by Ms. Mundy, and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to postpone DP 2013-29: HEADLEY, NIVEN & VANCE PROPERTY, LOTS 1, 2 & 3 to the April 25, 2013, Planning Commission meeting.

- d. PLAN 2013-17F: DISTILLERY DISTRICT (5/5/13)\* - located at 1200 Manchester Street.  
(Council District 2) **(2020 Land Surveying)**

Note: The Planning Commission postponed this plan at their March 14, 2013; March 28, 2013; and April 11, 2013, meetings. The purpose of this final record plat is to subdivide one lot into three lots.

The Subdivision Committee Recommended: Approval, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
9. Denote 20' building line along Manchester Street frontage.
10. Denote: This property shall be developed in accordance with the approved final development plan.
11. Correct purpose of plat note.
12. Correct site statistics.
13. Provided the Planning Commission grants a waiver to Article 4-7(d)(1) - Certification of Substantial Completion.
14. Resolve floodplain configuration adjacent to CSX Railroad.
15. Resolve timing of street improvements (TIF).

Representation – Justin Drury, 2020 Land Surveying, was present representing the applicant, and requested postponement of PLAN 2013-17F: DISTILLERY DISTRICT to the May 9, 2013, Planning Commission meeting.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Ms. Roche-Phillips, seconded by Ms. Mundy and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to postpone PLAN 2013-17F: DISTILLERY DISTRICT to the May 9, 2013, Planning Commission meeting.

- e. PLAN 2013-28F: C. CAROL HALEY FARM (AMD) (6/2/13)\* - located at 3705 Haley Road.  
(Council District 12) **(2020 Land Surveying)**

Note: The Planning Commission postponed this plan at their April 11, 2013, meeting. This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to subdivide one lot into a 40-acre and an 80-acre lot, and to clarify the existing 50' road easement.

The Subdivision Committee Recommended: Postponement. It is unclear as to how the new 40-acre lot would comply with minimum lot frontage requirements.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Addition of street cross-sections for access easement and Interstate 64 right-of-way information from previous plan.
8. Correct owner's certification in relation to sanitary sewer.
9. Addition of note for maintenance responsibility for 50' and access easement.
10. Addition of notes from previous plan, as applicable.
11. Addition of 300' building setback line from I-64.
12. Denote Health Department approval of septic system(s) prior to certification.
13. Denote buildable and non-buildable areas per Article 6-4(j)(4)(b).
14. Provided the Planning Commission grants a waiver to Article 6-4 (c) of the Land Subdivision Regulations.

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Representation – Justin Drury, 2020 Land Surveying, was present representing the applicant, and requested postponement of PLAN 2013-28F: C. CAROL HALEY FARM (AMD) to the April 25, 2013, Planning Commission meeting.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Mr. Cravens, seconded by Ms. Beatty and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to postpone PLAN 2013-28F: C. CAROL HALEY FARM (AMD) to the April 25, 2013, Planning Commission meeting.

- f. ZDP 2012-76: DEERFIELD SHOPPING CENTER (4/11/13)\* - located at 1949 Nicholasville Road.  
(Vision Engineering)

Note: The Planning Commission postponed this plan at their September 27, 2012; January 17, 2013; February 14, 2013; March 14, 2013 and April 11, 2013, meetings. The Urban County Council approved the zone change request at their November 27, 2012, meeting.

The Subdivision Committee Recommended: Postponement. There are issues with the screening and buffering proposed adjacent to a residential subdivision.

Should this plan be approved, the following conditions should be considered:

1. Provided the Urban County Council rezones the property B-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Denote: No building permit shall be issued unless and until a final development plan is approved by the Planning Commission.
7. Denote current floodplain information on plan.
8. Denote record plan name.
9. Clarify site statistics (floor area).
10. Verify required parking for restaurant (square footage/seating ratios).
11. Addition of Nicholasville Road street cross-section and Collins Lane access easement cross-section.
12. Denote proposed and existing storm sewer locations to the approval of the Division of Water Quality.
13. Resolve utility line and proposed building conflicts.
14. Denote proposed storm water detention location to the approval of the Division of Water Quality.
15. Discuss tree protection, landscaping and buffering perpendicular to Nicholasville Road.
16. Discuss building height adjacent to residential uses.
17. Discuss disposition of existing improvements in Nicholasville Road right-of-way.
18. Discuss timing of revisions to the current FEMA floodplain.

Staff Comments – Mr. Martin said that the staff had received an email correspondence from the applicant requesting postponement of ZDP 2012-76: DEERFIELD SHOPPING CENTER to the May 9, 2013, Planning Commission meeting.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Ms. Plumlee, seconded by Ms. Mundy and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to postpone ZDP 2012-76: DEERFIELD SHOPPING CENTER to the May 9, 2013, Planning Commission meeting.

- IV. LAND SUBDIVISION ITEMS - The Subdivision Committee met on Thursday, April 4, 2013, at 8:30 a.m. The meeting was attended by Commission members: Mike Owens, Carolyn Plumlee, Frank Penn and Karen Mundy. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Chris Taylor, Denice Bullock, Cheryl Gallt, Rob Hammons and Joey David, as well as Andrew Grunwald, Division of Engineering, Greg Lengal, Division of Fire and Ed Gardner, Department of Law. The Committee made recommendations on plans as noted.

*General Notes*

*The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission.*

1. All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.
2. All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.

- A. CONSENT AGENDA - NO DISCUSSION ITEMS – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) the Subdivision Committee recommendation is for approval, as listed on this agenda; and

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- (2) the Petitioner is in agreement with the Subdivision Committee recommendation and the conditions listed on the agenda; and
- (3) no discussion of the item is desired by the Commission; and
- (4) no person present at this meeting objects to the Commission acting on the matter without discussion; and
- (5) the matter does not involve a waiver of the Land Subdivision Regulations.

**Requests can be made to remove items from the Consent Agenda:**

- (1) due to prior postponements and withdrawals,
- (2) from the Planning Commission,
- (3) from the audience, and
- (4) from Petitioners and their representatives.

At this time, the Chair requested that the Consent Agenda items be reviewed. Mr. Sallee identified the following items appearing on the Consent Agenda, and oriented the Commission to the location of these items on the regular Meeting Agenda. He noted that the Subdivision Committee had recommended conditional approval of these items and the staff had recommended a one-year extension for the remaining item. (A copy of the Consent Agenda is attached as an appendix to these minutes).

1. PLAN 2013-24F: RESERVE AT TATES CREEK, LOTS 1-13 (AMD) (6/2/13)\* - located at 1060-1088 Bridlewood Lane and 5205 Tykes Pass. (Council District 12) **(EA Partners)**

Note: The purpose of this amendment is to create two additional lots by relotting Lots 1-13.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Correct "Middletown" to "Middleton" Place.
8. Denote utility providers on plan.
9. Resolve easement conflicts with buildable areas on Lots 4, 8-b and 9.

2. PLAN 2013-25F: LOCHMERE ESTATES (MAPLE RIDGE), UNIT 1-A, SEC. 2 (AMD) (6/2/13)\* - located at Lochmere Place and Lochmere Loop. (Council District 7) **(EA Partners)**

Note: The purpose of this amendment is to record the remaining lots on Unit 1A.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Clarify T.P.A on Lots 30, 31 & 35-37 (as per development plan).
9. Dash the lot lines of Lots 24, 25, 27, 28 & 29, as they were previously approved on PLAN 2012-32F.
10. Clarify driveway widths and document compliance with minimum required EAR-1 open space requirements.

3. PLAN 2013-26F: LOCHMERE ESTATES (MAPLE RIDGE), UNIT 1-B, SEC. 2 (AMD) (6/2/13)\* - located at Lochmere Place and Lochmere Loop. (Council District 7) **(EA Partners)**

Note: The purpose of this amendment is to record the remaining lots on Unit 1B.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Clarify T.P.A on lots (as per development plan).

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9. Dash the lot lines of Lot 18, as it was previously approved on PLAN 2012-33F.
10. Clarify driveway widths and document compliance with minimum required EAR-1 open space requirements.
4. PLAN 2013-30F: LAKEVIEW ESTATES, UNITS 2-B & 2-E (AMD) (6/2/13)\* - located at 527 Laketower Drive.  
(Council District 5) **(Eagle Engineering)**

Note: The purpose of this amendment is to subdivide one lot into eight lots and to add easements.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
  2. Urban County Traffic Engineer's approval of street cross-sections and access.
  3. Building Inspection's approval of landscaping.
  4. Addressing Office's approval of street names and addresses.
  5. Urban Forester's approval of tree protection area(s) and required street tree information.
  6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
  7. Denote: This property shall be developed in accordance with the approved final development plan.
  8. Denote address for all lots on face of plan.
  9. Denote site statistics block as shown on previous plan, and update information, as necessary.
  10. Clarify cross-section information for Laketower Drive.
  11. Clarify and relocate note regarding floodplain elevation.
  12. Denote floodplain information from previous plan along southwest property line.
  13. Provided the Planning Commission makes a finding on the use of the proposed access easement as sole access to these lots.
5. PLAN 2010-114F: WOODWARD-LANDER PROPERTY, UNIT 1A, LOT 108, SEC. 2 (6/18/13)\* - located at 3180 Sandersville Road and 3125 Daly Place. (Council District 12) **(Midwest Engineering)**

The Planning Commission originally approved this plan on November 11, 2010, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s).
6. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.

Note: The applicant now requests reapproval of the plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions, revising the following:

3. Building Inspection's approval of landscaping ~~and required street tree information.~~
  5. Urban Forester's approval of tree preservation plan and required street tree information.
6. DP 2013-25: COLDSTREAM RESEARCH CAMPUS, UNIT 3, LOTS 9-A & 9-B (AMD) (6/2/13)\* - located at 1648 and 1662 McGrathiana Parkway. (Council District 2) **(Strand Associates)**

Note: The purpose of this amendment is to revise the parking layout for Lot 9 and to revise the building and parking layout for Lot 9B.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
  2. Urban County Traffic Engineer's approval of street cross-sections and access.
  3. Building Inspection's approval of landscaping and landscape buffers.
  4. Addressing Office's approval of street names and addresses.
  5. Urban Forester's approval of tree preservation plan.
  6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
  7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
  8. Division of Waste Management's approval of refuse collection.
7. DP 2013-26: SOUTH BROADWAY PLACE, PHASE IV, LOT 1 (AMD) (6/2/13)\* - located at 1080 South Broadway, #301.  
(Council District 3) **(Roberts Group)**

Note: The purpose of this amendment is to add building square footage and restaurants.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.

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2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Addition of dimensions for driveways and parking spaces width (per previous plan).
10. Denote height of building in feet.
11. Clarify required/provided parking in site statistics.

8. DP 2013-27: WRIGHT & GIVENS PROPERTY (AMD) (6/2/13)\* - located at 2499 Nicholasville Road.  
(Council District 10) **(Endris Engineering)**

Note: The purpose of this amendment is to add buildable area, reconfigure the drive-through and the parking to the north and west of the building, remove 5' landscape buffer and screening along the south side of the property and remove the canopy area associated with the "Red Box" movie vending machine.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Denote construction access point locations.
10. Denote height of both the principal and accessory buildings.
11. Correct note #5 by adding "Planning."
12. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
13. Revise note #2 to meet current standards.
14. Addition of sidewalk and pedestrian crosswalk (at access points) along existing service road.

9. DP 2013-28: EASTLAND PARK, UNIT 1-L (6/2/13)\* - located at 1577 Martha Court.  
(Council District 6) **(2020 Land Surveying)**

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Division of Waste Management's approval of refuse collection locations.
8. Addition of record plat Cabinet F, Slide 58.
9. Denote construction access.
10. Remove proposed zoning from site statistics.
11. Denote: At the meeting on January 31, 2013, the Planning Commission granted a variance to the exterior yard requirement for group residential setback from 20' to 5' along the northwestern property line.

10. DP 2004-150: TUSCANY, UNIT 1 (6/4/13)\* - located at 2030 Winchester Road.  
(Council District 6) **(EA Partners)**

Note: The Planning Commission originally approved this plan on October 14, 2004, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace Planner's approval of greenspace, greenways and bike/pedestrian facilities.
6. Environmental Planner's approval of the treatment of environmentally sensitive areas.
7. Revise note no. 7.
8. Revise 10' building line along Sir Barton Way.

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Note: All the single family portions of this plan have developed, and the associated lots have been recorded. The applicant has requested a reapproval for the remaining undeveloped portion of the development plan, which governs the townhouse area of 44 units.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions, with two additional conditions:

9. Addition of updated floodplain information and 25' building setback lines.
10. Revise townhouse location, as necessary, based upon updated floodplain information.

11. DP 2013-8: ANDERSON 2 SUBDIVISION (6/24/13)\* - located at 425 Chilesburg Road.  
(Council District 7) **(Barrett Partners)**

Note: This property requires the posting of a sign and an affidavit of such. The purpose of this amendment is to add townhouses to the development. The Planning Commission originally approved this plan on January 17, 2013, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water Control Office's approval of fire hydrants, fire department connections and fire service features locations.
9. Division of Waste Management's approval of refuse collection.
10. Clarify proposed lotting for townhouse units.
11. Denote typical townhouse lot size.
12. Provided the Planning Commission makes a finding that the plan is in compliance with the EAMP.
13. Provided the Planning Commission makes a finding on the access easement.
14. Denote the approval of the applicant's proposed landscape buffer along the townhouse property line, and revise note 13 on the development plan to state that the proposed 6' privacy fence is an acceptable alternative to the agricultural fencing required by Article 6-3(b) of the Land Subdivision Regulations.

Note: The applicant now requests a continued discussion to increase the buildable area for the townhouses.

The Subdivision Committee Recommended: **Approval**, subject to the original conditions, with one additional condition:

15. Denote timing of exactions for the townhouse units to the approval of the Division of Planning.

12. DP 2013-33: HILLENMEYER PROPERTY – WEST (PHASE II) (6/20/13)\* - located at 2801 Sandersville Road.  
(Council District 2) **(Strand & Associates)**

Note: The purpose of this amendment is to reduce the single family lot by four and the townhouse units by six.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection.
10. Remove note #15.
11. Denote 2602 Mabel Lane is not a part of this plan.
12. Review by Technical Committee prior to plan certification.
13. Clarify note #29 to identify when "temporary" easement will expire.
14. Resolve possible need for T.P.A at rear of Lots 97 & 100.
15. Resolve the lack of an interior pedestrian system for the townhouse area.

13. DP 2012-17: HAMBURG PLACE MALL, UNIT 1, PARCEL 2, LOT 4 (AMD) (7/1/13)\* - located at 2145 Sir Barton Way.  
(Council District 6) **(Barrett Partners)**

Note: The purpose of this amendment is to add a 5,100 square-foot restaurant. The Planning Commission originally approved this plan on April 12, 2012, subject to the following conditions:

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\* - Denotes date by which Commission must either approve or disapprove request.



1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Correct purpose of amendment note.

Note: The applicant now requests an approval of a one-year extension of the plan.

The Staff Recommends: **Approval of a one-year extension**, subject to the original conditions, revising the following:

6. Division of Fire's ~~Water Control Office's approval of emergency access and the locations of fire hydrants, fire department connections and fire service features locations.~~

Mr. Saltee said that the staff had previously distributed two staff reports for PLAN 2013-30F: LAKEVIEW ESTATES, UNITS 2-B & 2-E (AMD) and DP 2013-8: ANDERSON 2 SUBDIVISION, adding that these reports are related to the proposed access easement for these developments. He then said that the staff had received notice of the required posting of a sign and an affidavit for DP 2013-8: ANDERSON 2 SUBDIVISION, adding that the documentation received for this request appeared to be in order. He further noted that the staff had placed the EAMP Report for DP 2013-8: ANDERSON 2 SUBDIVISION at each member's seat, and said that this report concludes and provides findings that state that this development is in compliance with the EAMP. In conclusion, Mr. Saltee said that the items identified on the Consent Agenda could be considered for conditional approval at this time by the Commission, unless there was a request for an item to be removed from consideration by a member of the Commission or the audience to permit discussion.

Consent Agenda Discussion – The Chair asked if anyone in the audience or on the Commission desired further discussion of any of the items listed on the Consent Agenda. John Tucker, 5751 Athens-Walnut Hill Pike said that he had not received or reviewed the EAMP report for DP 2013-8: ANDERSON 2 SUBDIVISION. He noted that one is required for this request to be in compliance with the EAMP and to be approved by the Commission. He asked if there was a copy of this report to review. The Chair noted that the staff does have a copy of the report for Mr. Tucker to review. Mr. Tucker said that if this proposal is in compliance with the Expansion Area Master Plan, from his standpoint, then everything is okay. The Chair asked Mr. Tucker if he was comfortable with DP 2013-8: ANDERSON 2 SUBDIVISION remaining on the Consent Agenda, to which he replied that he was. The Chair then acknowledged Mr. Tucker's response and asked if anyone else in the audience or on the Commission desired further discussion of any of the items listed on the Consent Agenda. There was no additional comment.

Ms. Mundy noted that she needed to recuse herself from the motion for DP 2004-150: TUSCANY, UNIT 1.

Action - A motion was made by Mr. Cravens, seconded by Ms. Beatty and carried 6-0 (Mundy recused; Brewer, Blanton, Penn and Wilson absent) to approve the items listed on the Consent Agenda.

- B. PERFORMANCE BONDS AND LETTERS OF CREDIT** – Any bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

Action - A motion was made by Mr. Berkley, seconded by Ms. Mundy, and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to approve the release and call of bonds as detailed in the memorandum dated January 17, 2013, from Hillard Newman, Division of Engineering.

- C. DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
  - (a) proponents (10 minute maximum OR 3 minutes each)
  - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
  - (a) petitioner's comments (5 minute maximum)
  - (b) citizen objectors (5 minute maximum)
  - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the meeting. The Chair will announce his/her decision at the outset of the hearing.

1. **PRELIMINARY SUBDIVISION PLANS**

- a. PLAN 2006-75P: PATCHEN WILKES, UNIT 2B (6/5/13)\* - located at 1811 Winchester Road (a portion of).  
(Council District 6) **(EA Partners)**

The Planning Commission originally approved this plan on May 11, 2006, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping, arterial screening and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Greenspace Planner's approval of the treatment of greenways/bike trails.
7. Discuss the connection to Charleston Drive.
8. Show spacing from the alley to the school entrance.
9. Show the cross-section with median.
10. Show alley radius from "F-F" to "B-B" sections.
11. Identify the school connections (pedestrian access).
12. Provided the Commission grants a waiver to Article 6-8 of the Land Subdivision Regulations to allow the centerline horizontal curve radius to be 35', and reduced right-of-way dimensions.
13. The notation of a public passageway easement adjacent to the right-of-way, detailing the primacy of the LFUCG over utility easements in this area.
14. All interior curb radii are to be increased to a minimum of 40'.

Note: This plan was reapproved by the Commission on 5/10/07, 8/14/08 and 9/10/09, and was certified on March 17, 2010, but improvement plans were never submitted for this development. Article 4-4(d)(1) of the Land Subdivision Regulations requires this to be done within "three (3) years" of approval. The applicant now requests a reapproval of the plan.

The Subdivision Committee Recommended: Reapproval, subject to the original conditions, revising the following:

3. Building Inspection's approval of landscaping, ~~arterial screening and required street tree information~~.
5. Urban Forester's approval of tree preservation plan and required street tree information.

Staff Presentation – Mr. Taylor presented the preliminary subdivision plan for Patchen Wilkes, Unit 2B, located on a portion of 1811 Winchester Road. He directed the Commission's attention to a rendering of this plan, and oriented them to the overall area and to the surrounding street system. He said that the subject property is located to the rear of Patchen Wilkes development, off Winchester Road, adding that Sir Barton Way is located to the south, Interstate 75 is located to east, and Charleston Drive is located to the northwest of the subject property.

Mr. Taylor said that this proposal is for 143 single family residential lots and proposes the continuation of Charleston Drive into this development. He then said that, as part of the previous approval of this plan in 2010, this development was approved to use an alley system to serve the rear of these lots. He added that there is a waiver of the Land Subdivision Regulations associated with this request for the non-standard turning radii that were approved on this development trucks and cars that will be traveling through this area.

Mr. Taylor said that the Planning Commission originally approved this plan on May 11, 2006, subject to the conditions listed on today's agenda. He then said that the staff is recommending reapproval of this request, subject to the original conditions, revising the following:

3. Building Inspection's approval of landscaping, ~~arterial screening and required street tree information~~.
5. Urban Forester's approval of tree preservation plan and required street tree information.

Waiver Presentation - Mr. Martin presented the staff report on the previously granted waiver, and said that the applicant had requested a waiver to Article 6-8(a) of the Land Subdivision Regulations, which pertains to the required street right-of-way width and the required minimum turning radius. He then said that this waiver is consistent with previous waivers granted by the Commission for other areas within the Patchen Wilkes development. He then said that this is one of the largest developments that utilizes the Neo-Traditional local street systems. He added that, with this type of street system, the right-of-way was reduced to 25' of pavement, measured curb to curb, and the curve radius was approved to be at a minimum of 40' on the inside curb line. He said that one of the interesting aspects of this development led to the use and creation of the passageway easement adjacent to the street right-of-way, which maintains the primacy of the LFUCG over utility easements in this area between the curb and sidewalk.

Mr. Martin said that the staff is recommending reapproval of the requested waiver(s), with the exception of only allowing a curve radius to a minimum of 40' on the inside curb line, for the following reasons:

1. A design innovation throughout the entire unit of this subdivision is possible with the requested waivers, and is consistent with the previous waivers approved by the Planning Commission for Unit 1 of this subdivision.
2. A safe and functional vehicular and pedestrian system can still be implemented with this proposal, if modified as recommended.

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Mr. Martin then said that this Approval is subject to the following conditions:

1. The notation of a public passageway easement adjacent to the right-of-way, detailing the primacy of the LFUCG over utility easements in this area.
2. All interior curb radii are to be increased to a minimum of 40'.

Representation – Rory Kahly, EA Partners, was present, and said that they are in agreement with the staff's recommendations and requested reapproval.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request. There was no response.

Action - A motion was made by Ms. Beatty, seconded by Ms. Mundy, and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to reapprove PLAN 2006-75P: PATCHEN WILKES, UNIT 2B, subject to the original conditions, revising conditions #3 and #5, and granting the waiver to Article 6-8 of the Land Subdivision Regulations, as presented by the staff.

## 2. FINAL SUBDIVISION PLANS

- a. PLAN 2012-90F: NEWMARKET PROPERTY, PHASE I, UNIT 9 (6/25/13)\* - located at 1281 Deer Haven Lane (a portion of). (Council District 6) **(EA Partners)**

Note: The Planning Commission originally approved this plan on September 13, 2012, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping information for Lots 2 & 3.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas(s) and required street tree information on Lots 2 & 3.
6. Greenspace Planner's approval of the treatment of greenways and greenspace on Lots 2 & 3.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer for Lots 2 & 3.
8. Denote timing of greenway dedication to the approval of the Greenspace Planner.
9. Revise conditional zoning notes to indicate FCPS' exemption from local zoning regulations.

Note: The applicant now requests a continued discussion regarding the wording of the note relating to the dedication and acceptance of Lot 2, which is the regional stormwater management facility.

The Subdivision Committee Recommended: Postponement. There are issues associated with the timing of the dedication of infrastructure. The staff would suggest additional time to research more fully the commitments made in the adopted "Developers Agreement" for these improvements.

Staff Presentation – Mr. Martin presented the final record plat for Newmarket Property, Phase I, Unit 9, located on a portion of 1281 Deer Haven Lane. He directed the Commission's attention to the rendering of this plan, and oriented the Commission to the overall area and to the surrounding street system. He noted that the subject property is located at the intersection of Passage Mound Way and Polo Club Boulevard, and is bordered by Interstate 75 to the southwest.

Mr. Martin said that the Planning Commission originally approved this plan on September 13, 2012, subject to the conditions listed on today's agenda. The applicant now requests a continued discussion regarding the wording of the note relating to the dedication and acceptance of Lot 2, which is the regional stormwater management facility. He said that the Subdivision Committee had recommended postponement of this request due to issues associated with the timing of the dedication of infrastructure. However, since the Subdivision Committee meeting, the staff and the applicant had reached an agreement on the language that referenced the timing of the Regional Stormwater Detention Facility in the following note.

*The area designated hereon as greenway/stormwater management facility B-1PP shall be dedicated to the LFUCG. Until such time as the greenway/stormwater management facility B-1PP is accepted, it shall be maintained by the developer or homeowner's association or other entity. Dedication and maintenance shall be as set forth in the Expansion Area Master Plan, Zoning Ordinance, System Improvement Design and Construction Memorandum relating to this property and the Department of Environmental Quality Repair, Maintenance and Ownership of Stormwater Control Devices Policy Statement.*

Mr. Martin said that the proposed note on the detention facility would be covered under condition #8, and with that the staff is recommending approval of this request, as presented with the conditions listed on the agenda.

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Representation – Richard Murphy, attorney, was present, and said that his client is in agreement with the staff's recommendations and requested approval.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request. There was no response.

Action - A motion was made by Mr. Cravens, seconded by Ms. Mundy, and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to approve PLAN 2012-90F: NEWMARKET PROPERTY, PHASE I, UNIT 9, subject to the conditions as presented by the staff.

### 3. DEVELOPMENT PLANS

- a. DP 2013-30: BLACKFORD PROPERTY, PHASE 4 (7/2/13)\* - located at 6600 Man O' War Boulevard and 3210 Blackford Parkway. (Council District 12) **(EA Partners)**

Note: This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Clarify tree canopy calculations and areas to be preserved.
11. Document compliance with overall Blackford Property density.
12. Denote boundary between "greenway" and townhouse area on this plan.
13. Provided the Planning Commission makes a finding that the plan is in compliance with the EAMP.
14. Resolve internal pedestrian connections and connections to greenways and Blackford Parkway sidewalk.

Staff Presentation – Mr. Taylor presented the final development plan for Blackford Property, Phase 4, located at 6600 Man O' War Boulevard and 3210 Blackford Parkway. He directed the Commission's attention to a rendering of this plan, and oriented them to the overall area and to the surrounding street system. He said that this request is part of the overall Blackford development, located between Man O' War Boulevard and Walnut Grove Lane, just east of Interstate 75 and north of Polo Club Boulevard.

Mr. Taylor explained that in 2001, the Planning Commission had approved an amended development plan for the northern section of the Blackford Property; and at that time, the purpose of that amendment was to revise the single family residential area layout and to revise the Special Design Area located near Walnut Grove Lane. He added that this development is the first final development plan for the area south of Blackford Parkway near the Clark Property. He said that the applicant is proposing 99 townhouses units, with garages, a connection off Blackford Parkway and 189 parking spaces.

Mr. Taylor said that the Subdivision Committee had recommended approval of this request, subject to the conditions listed on today's agenda. The staff had received a revised submission for this plan, which addressed some of the conditions previously identified by the Subdivision Committee. Based on the recent submission, the staff can now offer the following revised requirements:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Clarify ~~tree canopy calculations and areas to be preserved~~ topo elevations and source.
11. ~~Document compliance with overall Blackford Property density.~~
12. ~~Denote boundary between "greenway" and townhouse area on this plan.~~
11. 43. Provided the Planning Commission makes a finding that the plan is in compliance with the EAMP.
12. 44. Resolve internal pedestrian connections and connections to greenways and Blackford Parkway sidewalk to the approval of the Greenspace Planner.

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Mr. Taylor briefly explained that, since this property is in the EAR-2 zone, the applicant needed to document compliance with the overall Blackford Property density, which allows 3 to 6 units per acre. He then said that the applicant is adding 99 townhouse units to the previously approved 626 units, resulting in an overall density of 4.14 units per gross acre, which is still well below the maximum number of units that could be placed in the EAR-2 zone on the Blackford Property.

Mr. Taylor noted that the applicant still needs to resolve the internal pedestrian connections to greenways to these townhomes. In speaking with the Greenspace Planner, there is intent to have a pedestrian connection from the subject property toward the south leading to the planned greenway access area to be located between the two residential lots on the Clark Property.

Planning Commission Question – Ms. Beatty asked if the concern from the Greenspace Planner had to do with the pedestrian connection on the Blackford Property. Mr. Taylor pointed out the area on the rendering where the pedestrian connection was being proposed, and said that to access the greenway, pedestrians would need to use Blackford Parkway. He then said that there is a greenway connection proposed on the Clark Property, and the Greenspace Planner wanted the Blackford connection to be located near the connection on the Clark Property. Ms. Beatty then asked if that would need to be resolved, to which Mr. Taylor replied affirmatively.

Chairman Owens, with this proposal, what the density would be. Mr. Taylor said that the density would become 4.14 units per acre, with a maximum 5.99 units per acre. He then said that the maximum that would be allowed in the EAR-2 portion of the entire Blackford Property would be 1,049 units, and the applicant has document this plan's compliance for the overall Blackford Property density.

EAMP Compliance Report – Mr. Martin directed the Commission's attention to the staff's EAMP Compliance Report, and briefly explained that the Future Land Use for the overall EAR-2 density on the Blackford Property is 4.14 units per acre, which is in compliance with the EAMP. He then said that the Community Design Element for this property is defined by the existing greenways; and, with the townhouses that are being proposed, creates a diversity of housing types. This proposed development would create a unique neighborhood that is consistent with the EAMP recommendations.

Mr. Martin said that, even though there is only one vehicular connection being proposed to Blackford Property, the applicant is proposing a pedestrian system that would connect with the other pedestrian systems that is in close proximity. He then said that there would also be pedestrian connection to the greenway and future trails on this property, which would help establish the character of the area. He said that the Infrastructure Element deals with street connectivity on the Blackford Property, and the Blackford Parkway has been designed as the primary road to serve this development. Blackford Parkway has been constructed. He then said that there is a regional stormwater facility constructed on the Blackford Property near Man O' War Boulevard, noting that an additional basin would be constructed near Walnut Grove Lane as this development continues. He said that there are no specific infrastructure improvements associated with this townhouse development. He then said that the sanitary sewer trunk line has been constructed to serve most of the nearby properties. All the major components of the infrastructure are present.

Mr. Martin said that the staff finds that the Final Development Plan for the Blackford Property, Phase 4, can be found to be in compliance with the Future Land Use, Community Design, and Infrastructure Elements of the Expansion Area Master Plan for the following reasons:

1. The proposed EAR-2 residential density of 4.14 dwelling units/acre for the Blackford Property is in compliance with the future land use element of the EAMP.
2. The development uses the site topography, the planned greenways and trees on the site to create a distinct neighborhood in compliance with the Community Design Element of the EAMP.
3. The developer has constructed the necessary sanitary sewer trunk lines in order to serve the areas proposed for residential development, as planned for by the EAMP.
4. No EAMP - required storm water management facilities are required on this development, as regional basins have been constructed that will serve the Blackford Property development.

Representation – Rena Wiseman, attorney, along with Rory Kahly, EA Partners, was present representing Ball Homes, and said that their client is in agreement with the staff's recommendations and she requested approval.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request. Although two citizens were present for this discussion, there was no response to his inquiry.

Action - A motion was made by Mr. Berkley, seconded by Mr. Cravens, and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to approve DP 2013-30: BLACKFORD PROPERTY, PHASE 4, subject to the revised conditions, as presented by the staff; and accepting the findings that the plan is in compliance with the EAMP.

4. **PRELIMINARY SUBDIVISION PLANS** (continued)

- a. **PLAN 2013-34P: SOUTHEND PARK, SECTION 1, UNIT 1** (6/25/13)\* - located on De Roode Street north of McKinley Street. (Council District 2) **(Hall-Harmon Engineers)**

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Delete note #2.
9. Provided the Planning Commission approves a waiver to Article 6-7 of the Land Subdivision Regulations for the hammerhead proposed.

Staff Presentation – Mr. Martin presented the preliminary subdivision plan for Southend Park, Section 1, Unit 1, located on De Roode Street north of McKinley Street. He directed the Commission's attention to a rendering of this plan, and oriented them to the overall area and to the surrounding street system. He said that the subject property is located on an 8-acre parcel on De Roode Street near High Street, at the intersection of De Roode Street and McKinley Street. He then said that this request is to permit the redevelopment of 22 residential lots in the Southend Park area, and is associated with the Newtown Pike Extension Project. He added that this project is providing diverse housing types that will include single family homes, multi-family homes and attached homes. He noted that De Roode is being relocated and would connect to the adjacent property. He said that the Subdivision Committee did recommended approval of this request, subject to conditions listed on today's agenda.

Mr. Martin said that the applicant is requesting a waiver to Article 6-8(f) of the Land Subdivision Regulations, which governs the required street geometrics for the construction of a cul-de-sac. He directed the Commission's attention to the staff exhibit of the proposed cul-de-sac on this plan, shown on the overhead projector, and said that the Land Subdivision Regulations allows a hammerhead cul-de-sac design. He then said that the applicant is proposing a modified hammerhead that is more of a cross between the typical one and a "Y" cul-de-sac. He added that this type of cul-de-sac will create a more consistent lotting pattern for an area that has multiple constraints on the property, and will help the lotting on the property and regulate off-street parking, while keeping the area open. He then said that the approval of waiver will not negatively impact public health and safety.

Mr. Martin said that the staff is recommending, approval of the requested waiver, for the following reasons:

1. Granting the waiver is consistent with Article 1-5(c) of the Land Subdivision Regulations that encourages infill and redevelopment facilitation.
2. Granting the waiver will not negatively impact public health and safety, as the modified cul-de-sac design allows for full access to the lots as required by the Land Subdivision Regulations.

Representation – Stuart Goodpaster, Kentucky Transportation Cabinet was present, and indicated that they are in agreement with the staff's recommendations and requested approval.

Audience Comment – The Chair asked if anyone in the audience wished to discuss this request. There was no response.

Planning Commission Questions – Ms. Beatty asked if the cul-de-sac would have sidewalks. Mr. Martin said that the sidewalks are located at the back of curb. Mr. Saltee clarified that according to the cul-de-sac exhibit shown there would be the standard utility strip between the curb of the cul-de-sac and the sidewalk.

Action - A motion was made by Ms. Roche-Phillips, seconded by Ms. Plumlee, and carried 7-0 (Brewer, Blanton, Penn and Wilson absent) to approve **PLAN 2013-34P: SOUTHEND PARK, SECTION 1, UNIT 1**, subject to the conditions listed on today's agenda; and granting the waiver to Article 6-8(f) of the Land Subdivision Regulations, as presented by the staff.

VI. **COMMISSION ITEM** – The Chair will announce that any item a Commission member would like to present will be heard at this time.

- A. **PLANNING COMMISSION WORK SESSION** – At the conclusion of today's meeting, a work session with the Long Range Planning staff, related to the ongoing update to the Comprehensive Plan, was conducted. Minutes of that work session is contained in a separate document.

VII. **STAFF ITEMS** – No such items were presented.

VIII. **AUDIENCE ITEMS** – No such items were presented.

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**IX. NEXT MEETING DATES**

Work Session, Thursday, 1:30 p.m., 2 <sup>nd</sup> Floor Council Chambers .....	April 18, 2013
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) .....	April 24, 2013
<b>Zoning Items Public Hearing</b> , Thursday, 1:30 p.m., 2 <sup>nd</sup> Floor Council Chambers .....	<b>April 25, 2013</b>
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) .....	May 2, 2013
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building) .....	May 2, 2013
<b>Subdivision Items Public Meeting</b> , Thursday, 1:30 p.m., 2 <sup>nd</sup> Floor Council Chambers .....	<b>May 9, 2013</b>

**X. ADJOURNMENT** - There being no further business, a motion was made to adjourn the meeting at 2:11 p.m.

Note: Following the adjournment, the Commission conducted a work session on the Comprehensive Plan.

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Mike Owens, Chair

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Lynn Roche-Phillips, Secretary

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\* - Denotes date by which Commission must either approve or disapprove request.